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31 August 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

ALCOA, INC.,
Junior Party
(Application 09/473,246),

FAXED

~~AUG 31 2004~~

v.
BRIDGESTONE GRAPHIC TECHNOLOGIES, INC.,
Senior Party
(Patent 6,017,657).

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Patent Interference No. 105,176

JUDGMENT - RULE 602

Before: SCHAFER, LEE and NAGUMO, Administrative Patent Judges.

SCHAFER, Administrative Patent Judge.

Pursuant to an assignment dated July 2, 2004, Alcoa has obtained the "full and exclusive right, title and interest in and to said invention and in and to all Letters Patent or similar legal protection in the United States . . ." of the subject matter of Patent 6,017,657. Thus, the involved application and patent became commonly owned by Alcoa, Inc. Paper 9, p. 2. On August 20, 2004, an Administrative Patent Judge issued an order to show cause why, in view of the common ownership, judgment should not be entered against junior party Application 09/473,246. Paper 44. In responding to the order to show cause, counsel for the common owner has not requested that judgment be entered against the senior party.

Accordingly, it is

ORDERED that judgment on priority as to the subject matter of Count 1 (Paper 1, p. 5), is awarded against the junior party, ALCOA, INC.;

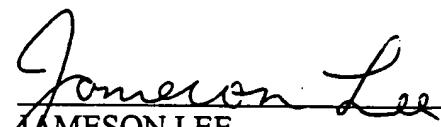
FURTHER ORDERED that junior party, ALCOA, INC., is not entitled to a patent containing claims 27-28¹ (corresponding to Count 1) of Application 09/473,246;

FURTHER ORDERED that a copy of this judgment and a copy of the ORDER - RULE 634 (Paper 43, entered August 20, 2004) be made of record in the file of Patent 6,017,657 and in Application 09/473,246; and

FURTHER ORDERED that if there is a settlement agreement which has not been filed, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.


RICHARD E. SCHAEFER)

Administrative Patent Judge)

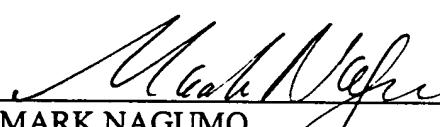

JAMESON LEE)

Administrative Patent Judge)

) BOARD OF PATENT

) APPEALS AND

) INTERFERENCES


MARK NAGUMO)

Administrative Patent Judge)

¹ Application 09/473,246 also includes pending claims 1-4 and 7-25 which were designated as not corresponding to the count. Paper 1, p. 5. Those claims are not involved in this interference and, therefore, are not effected by this judgment. Any further prosecution of those claims is at the discretion of the examiner.

cc (via FAX):

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Courtesy Copy to

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